

CLEAN AIR ACT7-37. Administrative Enforcement Actions: New Source
Review Orders

1. AUTHORITY. Pursuant to the Clean Air Act (CAA), to determine that a state is not acting in compliance with a requirement of the regulation referred to in Section 129 (a) (1) of the Clean Air Act Amendments of 1977 or a plan provision required under the CAA, and upon such a determination, to issue a new source review order.

2. TO WHOM DELEGATED. Director, Air Protection Division.

3. LIMITATIONS.

a. The delegatee must consult with the Assistant Administrator for Enforcement and Compliance Assurance or his/her designee before exercising the above authority to issue administrative orders.

b. The Assistant Administrator for Enforcement and Compliance Assurance may exercise these authorities in multi-Regional cases or cases of national significance. In addition, the Assistant Administrator for Enforcement and Compliance Assurance or his/her designee must notify affected Regional Administrators or their designees before exercising the above authority to issue administrative orders.

c. The Assistant Administrator for Enforcement and Compliance Assurance may waive his/her consultation requirements by memorandum.

4. REDELEGATION AUTHORITY. This authority may not be redelegated without formal amendment.

5. ADDITIONAL REFERENCES.

a. Injunctive relief is covered by the Chapter 7 delegations entitled "Civil Judicial Enforcement Actions" and "Emergency TRO's."

b. Sections 110 (a) (2) (I) and 113 (a) (5) of CAA.

Date 10/3/96

/s/ Stanley L. Laskowski
W. Michael McCabe
Regional Administrator